

## **FREQUENTLY ASKED QUESTIONS ON FINGERPRINT/BACKGROUND CHECK PROCESS**

### **EFFECTIVE JULY 1, 2007**

- 1) Why is the KREC requiring applicants for a real estate license to complete background checks and who is required to complete the background check?

During the 2007 Legislative session, HB 2295, was passed and signed into law. This bill mandated a state and national criminal background check for all applicants for an original Kansas salesperson's or broker's real estate license. [Note: This includes those individuals who are currently licensed as a real estate salesperson in Kansas who wish to apply for a Kansas real estate broker license and persons licensed as a real estate salesperson or broker in another state who are seeking licensure in Kansas by equivalent requirements met.]

- 2) Where can I get the fingerprint card and the KREC Waiver?

Fingerprint cards and the Kansas Real Estate Commission Waiver can be obtained from the real estate schools that are approved providers of pre-license courses, the Kansas Practice Course and the Kansas Law Course, Pearson VUE's licensure examination sites, or by emailing [brooke.daniels@krec.state.ks.us](mailto:brooke.daniels@krec.state.ks.us) and requesting the fingerprint packet.

- 3) Who does the fingerprinting and how long does it take to receive the results?

The applicant will need to have an authorized entity take the fingerprints. The applicant may go to a local police department, county sheriff's office, or the Topeka KBI office to have his or her fingerprints taken. **An appointment may be necessary and a fee may be required.** (When you make your appointment to be fingerprinted, ask what type of identification is required. If fingerprints are rejected by the KBI or FBI because of poor quality or improper completion, a new fingerprint card will be required and another fee may be required.)

The fingerprint/background check process can take up to 4-6 weeks, but generally takes 5-10 business days to process if the fingerprints are not rejected.

- 4) What is the procedure after the fingerprint card and waiver are completed?

After the applicant's fingerprints have been taken and the fingerprint form has been completed, the applicant will be required to submit the completed waiver and fingerprint forms directly to KREC along with the required fee. The KREC will forward the required information to the KBI which will actually conduct the state background check. The KBI will submit the fingerprints to the FBI which will conduct the background check for other jurisdictions. The KBI will return both the KBI and FBI criminal history reports to KREC. If there is no record of criminal history, the report will indicate that no record exists.

- 5) How much is the fee and how is it dispersed?

The charge to conduct the background check is \$64.00. (KREC will only accept **a money order or cashiers check**, payable to KREC for payment.) \$30.00 of the fee will compensate the KBI for conducting an examination of the state criminal history records of each applicant. \$24.00 of the fee will be forwarded to the FBI to compensate them for conducting an examination of the criminal history records of each applicant in other jurisdictions. \$10.00 of the fee goes to KREC for increased administrative costs.

- 6) Do I send the fingerprint card in at the same time I send the application?

The Kansas Real Estate Commission has determined that a background check request can be made at any time (before or after completing the education and examination requirements). The criminal background check is valid for 6 months from the date of the KBI and FBI criminal history report. If the KREC does not receive the completed application from the applicant prior to this deadline, the applicant will need to submit to another criminal background check. Completion of another fingerprint card, a new waiver, and payment of another \$64.00 fee will be required.

- 7) How will I be notified when the KREC has received the results of the background check?

The names of applicants whose fingerprint card has been received will be posted on the KREC website at [www.kansas.gov/krec](http://www.kansas.gov/krec). Once the background checks have been returned by the KBI and FBI, the date the reports were received will be posted on the website. The information will not be posted on the website for more than 6-months after the criminal history report is issued. The website will be updated at regular intervals.

- 8) Will an application for a real estate license be accepted by KREC if the applicant has not completed the criminal background check requirement?

An application will be accepted without the background check requirement, but will be considered an "Incomplete Application". The applicant should keep in mind that all other requirements for licensure must also be submitted for the application to be complete. An application can be held for 6-months from the time it is received by KREC; however, if the background check requirement or any other requirements have not been met at the end of 6-months, the prorated license fee will be returned and the applicant must resubmit an application, including retaking applicable courses and the licensure examination.

- 9) What are the requirements to become licensed as a real estate **salesperson** in the state of Kansas?

You must be 18 years of age and have a high school diploma or a GED equivalent.

**If you are a Kansas resident and are not currently licensed in another state**, you are required to take a 30-hour course entitled "Principles of Real Estate" and pass the General and State portions of the licensure exam before submitting an application.

**If you are applying for a Kansas real estate salesperson license through requirements met in another state (completed other state's pre-license course and passed national exam)**, you must pass the Kansas state portion of the exam. If you do not reside in Kansas, you must be licensed in your state of residence and submit a notarized nonresident form.

You must complete a 30-hour course entitled "Kansas Practice Course" (which is to be completed no more than six-months prior to filing the license application).

A certification of licensure is required from any state in which you are now or have ever been licensed (other than Kansas). The certification must include exam and real estate school information.

The license application must be signed by a Kansas licensed supervising or branch broker. An application will not be considered complete until the background check has been completed and

returned to KREC and all other application requirements have been met. Fingerprint cards and the Kansas Real Estate Commission Waiver can be obtained from the real estate schools that are approved providers of pre-licensing courses, Pearson VUE's licensure exam sites, or by emailing [brooke.daniels@krec.state.ks.us](mailto:brooke.daniels@krec.state.ks.us) and requesting the fingerprint packet.

An application fee of \$15.00 and a license fee, pro-rated to the first expiration date, are also required.

10) What are the requirements to become licensed as a real estate **broker** in the state of Kansas?

You must be 18 years of age and have a high school diploma or a GED equivalent.

**If you are a Kansas resident and are not licensed in another state as a broker**, and are currently licensed in Kansas as a salesperson, you are required to complete the 24-hour course titled "Broker Pre-License Course" and pass the General and State portions of the licensure examination.

**If you wish to make application for a broker license by equivalent requirements met in another state (completed other state's broker pre-license course and passed national exam)**, you must complete a 4-hour course entitled "Kansas Law Course" and pass the Kansas state portion of the broker exam. If you do not reside in Kansas, you must be licensed in your state of residence and submit a notarized nonresident form.

You must have been actively engaged in real estate activity for a period of at least two years during the five years immediately preceding the date of the application or show a related business or combination of experience and education which the Commission believes qualifies you to act as a broker as being equivalent to all or part of the experience required. Provide experience pages and/or related experience on the forms provided with the license application.

Provide certification of licensure from any state in which you are now or have ever been licensed other than the state of Kansas.

Applications will not be considered complete until a background check has been completed and returned to KREC and all other application requirements have been met. Fingerprint cards and the Kansas Real Estate Commission Waiver can be obtained from the real estate schools that are approved providers of the Broker Pre-License Course, the Kansas Law Course, Pearson VUE's licensure examination sites, or by emailing [brooke.daniels@krec.state.ks.us](mailto:brooke.daniels@krec.state.ks.us) and requesting the fingerprint packet.

An application fee of \$15.00 and a license fee, pro-rated to the first expiration date, are also required.